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|---|--|-----------------------|------------------|
| DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION | | Att m y Docket Number | 4002-3376/PC445 |
| | | First Named Inventor | William F. McKay |
| <input checked="" type="checkbox"/> Declaration submitted with Initial Filing | <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required) | COMPLETE IF KNOWN | |
| | | Application No. | |
| | | Filing Date | |
| | | Group Art Unit | |
| | | Examiner's Name | |

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NATURAL TISSUE DEVICES AND METHODS OF IMPLANTATION

the specification of which
 (check one)

- is attached hereto.
- Was filed on _____ as United States Application No. or
 PCT International Application No._____
- And was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate having a filing date before that of the application

on which priority is claimed:

| Priority Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|--------------------------------|----------------------|--------------------------|-------------------------------------|
| | | | | Yes | No |
| | | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) | □ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. |
|-----------------------|--------------------------|---|
| 60/411,547 | 09/18/2002 | |
| | | |
| | | |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| U.S. Parent Application or PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|--|---------------------------------|--------------------------------------|
| | | |

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:



Registered practitioner(s) name/registration number listed below.

| Name | Registration Number | Name | Registration Number |
|------|---------------------|------|---------------------|
| * | * | | |



Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

| | | | |
|--------------------------------|---|-----------------------------|--|
| Direct all correspondence to : | <input type="checkbox"/> Customer Number Bar Code Label | <input type="checkbox"/> OR | <input checked="" type="checkbox"/> Correspondence address below |
|--------------------------------|---|-----------------------------|--|

| | | | | | |
|-----------|---|-----------|---------------|-----|------------------|
| Name | *Timothy N. Thomas | | | | |
| Firm Name | WOODARD EMHARDT MORIARTY McNETT & HENRY LLP | | | | |
| Address | 111 Monument Circle, Bank One Tower, Suite 3700 | | | | |
| Address | | | | | |
| City | Indianapolis | State | IN | ZIP | 46204 |
| Country | USA | Telephone | 317/ 634-3456 | | Fax 317-637-7561 |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | |
|---|---|------------------------|---------|
| Full name of sole or first inventor: | | | |
| Given Name (first and middle, if any) | *William F. | Family Name or Surname | McKay |
| Inventor's Signature: | <i>William F. McKay</i> | Date of Signature: | 9-16-03 |
| Residence: (City, State, Country) | 3870 McElrie Cove Memphis, Tennessee USA | | |
| Citizenship: | USA | | |
| Post Office Address: | * | | |

| | | | |
|--|---|------------------------|--------------|
| Full name of additional joint inventor, if any: | | | |
| Given Name (first and middle, if any) | *Hai H. | Family Name or Surname | Trieu |
| Inventor's Signature: | <i>Hai H. Trieu</i> | Date of Signature: | Sept. 16, 03 |
| Residence: (City, State, Country) | 1323 Graystone Lane Cordova, Tennessee USA | | |
| Citizenship: | USA | | |
| Post Office Address: | * | | |
| Full name of additional joint inventor, if any: | | | |
| Given Name (first and middle, if any) | | Family Name or Surname | |
| Inventor's Signature: | | Date of Signature: | |
| Residence: (City, Stat , Country) | | | |

Type a Plus sign (+) inside this box →



WENMM SB/02C (4/01)

| DECLARATION | | Registered Practitioner Information (Supplemental Sheet) | |
|-------------------------|---------------------|---|---------------------|
| Name | Registration Number | Name | Registration Number |
| C. David Emhardt | 18,483 | Jason A. Houdek | P54,620 |
| Joseph A. Naughton, Jr. | 19,814 | Michael S. Wherry | 53,764 |
| John V. Moriarty | 26,207 | Michael C. Bartol | 44,025 |
| John C. McNett | 25,533 | | |
| Thomas Q. Henry | 28,309 | Noreen C. Johnson | 38,929 |
| James M. Durlacher | 28,840 | David A. Warmbold | 30,897 |
| Charles R. Reeves | 28,750 | James J. Bindseil | 42,326 |
| Vincent O. Wagner | 29,596 | | |
| Steve Zlatos | 30,123 | | |
| Spiro Bereveskos | 30,821 | | |
| Clifford W. Browning | 32,201 | | |
| R. Randall Frisk | 32,221 | | |
| Daniel J. Lueders | 32,581 | | |
| Kenneth A. Gandy | 33,386 | | |
| Timothy N. Thomas | 35,714 | | |
| Kurt N. Jones | 37,996 | | |
| John H. Allie | 39,088 | | |
| Holiday W. Banta | 40,311 | | |
| Troy J. Cole | 35,102 | | |
| L. Scott Paynter | 39,797 | | |
| Charles J. Meyer | 41,996 | | |
| Matthew R. Schantz | 40,800 | | |
| Gregory B. Coy | 40,967 | | |
| Lisa A. Hiday | 40,036 | | |
| John V. Daniluck | 40,581 | | |
| Christopher A. Brown | 41,642 | | |
| Arthur J. Usher IV | 41,359 | | |
| Douglas A. Collier | 43,556 | | |
| Brad A. Schepers | 45,431 | | |
| Scott J. Stevens | 29,446 | | |
| James B. Myers | 42,021 | | |
| John M. Bradshaw | 46,573 | | |
| Quentin G. Cantrell | 47,469 | | |
| Charles P. Schmal | 45,082 | | |
| David E. Novak | 50,752 | | |
| Edward E. Sowers | 36,015 | | |
| John L. Roberts | 50,453 | | |
| John J. Emanuele | 51,653 | | |
| Denise M. Gosnell | 51,748 | | |

004002-003376.TNT.239703

ASSIGNMENT

WHEREAS, William F. McKay of 3870 McElrie Cove, Memphis, TN 38133 and Hai H. Trieu of 1323 Graystone Lane, Cordova, TN 38018, hereinafter referred to as Assignors, have made a new and useful invention in **NATURAL TISSUE DEVICES AND METHODS OF IMPLANTATION** for which assignors have made or will make application for Letters Patent of the United States; and

WHEREAS, SDGI Holdings, Inc., hereinafter referred to as Assignee, a corporation of the State of Delaware having a principal place of business at 300 Delaware Avenue, Suite 508, Wilmington, Delaware 19801, desires to acquire all of the entire right, title, and interest in, to and under said Invention disclosed, described and/or claimed or intended so to be in said application, and in, to and under said application, and in, to and under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

NOW, THEREFORE, To All Whom It May Concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignors in hand paid, the receipt of which is hereby acknowledged, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Assignee, all of the entire right, title and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent executed by Assignors this 16th day of September, 2003, and any and all other applications thereon and arising therefrom, including any and all divisions and continuations thereof, and any and all patents to be issued and obtained therefor and thereon, United States and foreign, including all reissues and extensions thereof..

Assignors hereby authorize and request the firm of Woodard, Emhardt, Moriarty, McNett & Henry LLP of Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, IN 46204-5137 to insert here in parentheses (Serial No. _____, Filed _____) the date and serial number of said application when officially known, and Assignors hereby authorize and request the Honorable Commissioner of Patents to issue said Letters Patent to Assignee, its assigns and legal representatives.

Assignors agree to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said Inventions in this and all foreign countries for the use of Assignee.

WITNESS Assignor's hand this 16 day of September, 2003.

William F. McKay
William F. McKay

STATE OF TENNESSEE)
)
COUNTY OF SHELBY)

Before me, a Notary Public, in and for said County and State, personally appeared William F. McKay, who, being first duly sworn upon his oath, acknowledged the execution of the foregoing "Assignment" as his voluntary act and deed.

WITNESS my hand and Notarial Seal this 16th day of September, 2003.

Sabrina Chambers
Notary Public

Printed: Sabrina Chambers

Resident of Fayette County

My Commission Expires:

10-29-03



WITNESS Assignor's hand this 16 day of September, 2003.



Hai H. Trieu

STATE OF TENNESSEE)
)
COUNTY OF SHELBY) : ss
)

Before me, a Notary Public, in and for said County and State, personally appeared Hai H. Trieu, who, being first duly sworn upon his oath, acknowledged the execution of the foregoing "Assignment" as his voluntary act and deed.

WITNESS my hand and Notarial Seal this 16th day of September, 2003.



Sabrina Chambers
Notary Public

Printed: Sabrina Chambers

Resident of Fayette County

My Commission Expires:

10-29-03

